THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9822 of 2007

01.5.2007

Between:

Sri Anantha Rao Panthulu

... Petitioner

AND

The District Collector, Medak at Sanga REddy

And others

... Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9822 of 2007

ORDER:

The petitioner is resident of Nawabpet village. He is statedly poojari/dharma kartha/muttawalli of Sri Seetha Ramanjaneya Swami Temple, which is owner of the land admeasuring Acs.3.00 enclosed in a compound wall (gadi). It is alleged that grandfather of third respondent was performing the duties of watchman in the Temple and due to this he constructed a hut in the compound wall adjacent to Samadhis of great grandfathers of petitioner. Grandfather of third respondent, Lakshmaiah, and his brother also gave undertaking that they will not have any claim in the land. It is now alleged that third respondent started constructing pakka house in the Temple property. A complaint was given in the office of the Mandal Revenue Officer, who visited the area and conducted panchanama. In spite of the same, no action is taken against respondents 3 and 4. Aggrieved by the same, the present writ petition is filed seeking a direction to respondents to take necessary action against respondents 3 and 4.

Heard learned Counsel for petitioner, learned Assistant Government Pleader for Revenue (General-T) and learned Assistant Government Pleader for Endowments. The main allegation of the petitioner is that the respondents 3 and 4 have been making construction on the temple property. If that be so, nothing prevents the petitioner to file application before the Deputy Commissioner of Endowments under Section 83 of Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987, and seek eviction of respondents 3 and 4. Respondents 1 and 2 are not competent to evict any encroacher from the Temple land.

The writ petition is misconceived and is accordingly dismissed. No costs.

(**V.V.S.RAO, J**)

May 01, 2007.
YS